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JUN 19 2006

**OFFICE OF PETITIONS**

In re Application of :  
Brent E. Little :  
Application No. 10/684,899 : DECISION ON PETITION  
Filed: October 9, 2003 : UNDER 37 C.F.R. §1.137(b)  
Attorney Docket Number: LO-22 :  
Title: INTEGRATED OPTICAL MODE :  
SHAPE TRANSFORMER AND METHOD OF :  
FABRICATION :  
:

This is a decision on the petition, pursuant to 37 C.F.R. §1.137(b)<sup>1</sup>, to revive the above-identified application, filed on February 27, 2006.

The above-identified application became abandoned for failure to submit the issue fee in a timely manner in reply to the Notice of Allowance and Issue Fee Due, mailed November 15, 2005, which set a shortened statutory period for reply of three (3) months. No extensions of time are permitted for transmitting issue fees<sup>2</sup>.

1 A grantable petition pursuant to 37 C.F.R. §1.137(b) must be accompanied by:

- (1) The reply required to the outstanding Office action or notice, unless previously filed;
- (2) The petition fee as set forth in § 1.17(m);
- (3) A statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to this paragraph was unintentional. The Commissioner may require additional information where there is a question whether the delay was unintentional, and;
- (4) Any terminal disclaimer (and fee as set forth in § 1.20(d)) required pursuant to paragraph (d) of this section.

2 See MPEP §710.02(e).

Accordingly, the above-identified application became abandoned on February 16, 2005.

With the present petition, Petitioner has submitted the petition fee, the issue fee, and the proper statement of unintentional delay.

As such, the petition is **GRANTED**.

After the mailing of this decision, the Office of Patent Publications will be notified of the same so that the present application can be processed into a patent.

The phone number for the Office of Patent Publication is (571) 272-4200. Telephone inquiries regarding this decision should be directed to the undersigned at (571) 272-3225.



**Paul Shanoski**  
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